

AGILENT TECHNOLOGIES, INC.  
Legal Department, DL429  
Intellectual Property Administration  
P. O. Box 7599  
Loveland, Colorado 80537-0599

ATTORNEY DOCKET NO. 10010804-1

JUL 12 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Ed Schlotzhauer et al

Serial No.: 09/955,796

Examiner: West, Jeffrey R.

Filing Date: September 18, 2001

Group Art Unit: 2857

Title: A METHOD FOR USER VARIATION OF A MEASUREMENT PROCESS

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria VA 22313-1450

**REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114**

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

**NOTE:** 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

**Submission under 37 CFR 1.114**

Previously submitted:

- Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered).
- Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.  
 Other \_\_\_\_\_.

Enclosed:

- Amendment/Reply
- Affidavit(s)/Declarations(s)
- Information Disclosure Statement (IDS)
- Other Return receipt postcard.

**Miscellaneous**

- Suspension of action is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months.  
The fee for this Suspension is (37 CFR 1.17(i)) \$130.00.
- Other \_\_\_\_\_.

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**CONTINUED EXAMINATION TRANSMITTAL  
(RCE) (37 CFR 1.114) (continued)**

**ATTORNEY DOCKET NO. 10010804-1**

RCE filing fee \$770.00

A Petition for Extension of Time

|                                     |              |           |
|-------------------------------------|--------------|-----------|
| <input checked="" type="checkbox"/> | One month    | \$110.00  |
| <input type="checkbox"/>            | Two months   | \$420.00  |
| <input type="checkbox"/>            | Three months | \$950.00  |
| <input type="checkbox"/>            | Four months  | \$1480.00 |

Please charge to Deposit Account **50-1078** the sum of \$880.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

By



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Renee Michelle Larson  
Attorney/Agent for Applicant(s)

Reg. No. 36,193

Date: July 8, 2004

Telephone No. 301-668-3073

I hereby certify that this correspondence is being deposited

with the United States Postal Service as first class mail in  
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Date of Deposit: July 8, 2004 OR

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to the Patent and Trademark Office on the date shown below.

Date of Facsimile:

Typed Name: Renee Michelle Larson

Signature: 

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent Application of:

Inventor(s): Schlotzhauer  
Filed: 18th September, 2001  
Serial No.: 09/955,796  
Confirmation No.: 1044  
Group Art Unit: 2857  
Examiner: West, Jeffrey R.  
Docket Number: 10010804-1

Title: A Method for User Variation of a Measurement Process

Commissioner for Patents

P.O. Box 1450  
Alexandria, VA 22313-1450

### CERTIFICATE OF MAILING / FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being:

[X] deposited with the U.S. Postal Service as first class mail with sufficient postage in an envelope addressed to: MS RCE,  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

[ ] transmitted by facsimile to the U.S. Patent and Trademark Office to Examiner: \_\_\_\_\_

at Fax Number: \_\_\_\_\_

RENEE' MICHELLE LARSON

(Applicant, Assignee or Reg. Representative)

July 8, 2004

Signature

Date

### RESPONSE TO OFFICE ACTION

Dear Sir:

#### INTRODUCTORY COMMENTS:

In response to the advisory action mailed on 24th June, 2004, Applicant wishes to enter the following remarks for the Examiner's consideration.

Please charge any fees necessary for prosecution of the present application to deposit account no. 08-2025. If any extension of time is required, such extension of time is hereby requested. Please charge any additional required fee for extension of time to Applicant's Deposit Account No. 08-2025.